

Effective 5/14/2019

20A-7-501 Initiatives -- Signature requirements -- Time requirements.

(1) As used in this section:

- (a) "Number of active voters" means the number of active voters in the county, city, or town on the immediately preceding January 1.
- (b) "Voter participation area" means an area described in Subsection 20A-7-401.3(1)(a) or (2)(b).

(2) An eligible voter seeking to have an initiative submitted to a local legislative body or to a vote of the people for approval or rejection shall obtain legal signatures equal to:

(a) for a county of the first class:

- (i) 7.75% of the number of active voters in the county; and
- (ii) beginning on January 1, 2020, 7.75% of the number of active voters in at least 75% of the county's voter participation areas;

(b) for a metro township with a population of 100,000 or more, or a city of the first class:

- (i) 7.5% of the number of active voters in the metro township or city; and
- (ii) beginning on January 1, 2020, 7.5% of the number of active voters in at least 75% of the metro township's or city's voter participation areas;

(c) for a county of the second class:

- (i) 8% of the number of active voters in the county; and
- (ii) beginning on January 1, 2020, 8% of the number of active voters in at least 75% of the county's voter participation areas;

(d) for a metro township with a population of 65,000 or more but less than 100,000, or a city of the second class:

- (i) 8.25% of the number of active voters in the metro township or city; and
- (ii) beginning on January 1, 2020, 8.25% of the number of active voters in at least 75% of the metro township's or city's voter participation areas;

(e) for a county of the third class:

- (i) 9.5% of the number of active voters in the county; and
- (ii) beginning on January 1, 2020, 9.5% of the number of active voters in at least 75% of the county's voter participation areas;

(f) for a metro township with a population of 30,000 or more but less than 65,000, or a city of the third class:

- (i) 10% of the number of active voters in the metro township or city; and
- (ii) beginning on January 1, 2020, 10% of the number of active voters in at least 75% of the metro township's or city's voter participation areas;

(g) for a county of the fourth class:

- (i) 11.5% of the number of active voters in the county; and
- (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75% of the county's voter participation areas;

(h) for a metro township with a population of 10,000 or more but less than 30,000, or a city of the fourth class:

- (i) 11.5% of the number of active voters in the metro township or city; and
- (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75% of the metro township's or city's voter participation areas;

(i) for a metro township with a population of 1,000 or more but less than 10,000, a city of the fifth class, or a county of the fifth class, 25% of the number of active voters in the metro township, city, or county; or

(j) for a metro township with a population of less than 1,000, a town, or a county of the sixth class, 35% of the number of active voters in the metro township, town, or county.

- (3) If the total number of certified names from each verified signature sheet equals or exceeds the number of names required by this section, the clerk or recorder shall deliver the proposed law to the local legislative body at the local legislative body's next meeting.
- (4)
- (a) The local legislative body shall either adopt or reject the proposed law without change or amendment within 30 days after the day on which the local legislative body receives the proposed law under Subsection (3).
 - (b) The local legislative body may:
 - (i) adopt the proposed law and refer the proposed law to the people;
 - (ii) adopt the proposed law without referring the proposed law to the people; or
 - (iii) reject the proposed law.
 - (c) If the local legislative body adopts the proposed law but does not refer the proposed law to the people, the proposed law is subject to referendum as with other local laws.
 - (d)
 - (i) If a county legislative body rejects a proposed law, or takes no action on a proposed law, the county clerk shall submit the proposed law to the voters of the county at the next regular general election immediately after the petition for the proposed law is filed under Section 20A-7-502.
 - (ii) If a local legislative body of a municipality rejects a proposed law, or takes no action on a proposed law, the municipal recorder or clerk shall submit the proposed law to the voters of the municipality at the next municipal general election immediately after the petition is filed under Section 20A-7-502.
 - (e)
 - (i) If a local legislative body rejects a proposed law, or takes no action on a proposed law, the local legislative body may adopt a competing local law.
 - (ii) The local legislative body shall prepare and adopt the competing local law within the 30-day period described in Subsection (4)(a).
 - (iii) If a local legislative body adopts a competing local law, the clerk or recorder shall refer the competing local law to the voters of the county or municipality at the same election at which the initiative proposal is submitted under Subsection (4)(d).
 - (f) If conflicting local laws are submitted to the people at the same election and two or more of the conflicting measures are approved by the people, the measure that receives the greatest number of affirmative votes shall control all conflicts.

Amended by Chapter 203, 2019 General Session